

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

TESSERA, INC.,

Plaintiff, Counterdefendant,

v.

ADVANCED MICRO DEVICES, INC. et al.,

Defendants, Counterclaimants.

CASE No. 4:05-cv-04063-CW

**ORDER GRANTING MOTION FOR  
ADMINISTRATIVE RELIEF BY STATS  
CHIPPAC, LTD., STATS CHIPPAC, LTD.  
AND STATS CHIPPAC (BVI) LIMITED**

1 As set forth in the Motion for Administrative Relief to File Documents Under Seal  
2 Pursuant to Civil Local Rules 7-11 and 79-5 (hereafter “the Motion for Administrative Relief”)  
3 filed by Defendants and Counterclaimants STATS ChipPAC, Inc., STATS ChipPAC, Ltd., and  
4 STATS ChipPAC (BVI) Limited (collectively “STATS ChipPAC”), STATS ChipPAC has  
5 lodged with the Court a Stipulated Dismissal with Prejudice of the Twelfth Cause of Action  
6 Against STATS ChipPAC, Ltd., STATS ChipPAC (BVI) Ltd., and STATS ChipPAC, Inc. (the  
7 “Stipulated Dismissal”).

8 **Exhibit 1 to the Stipulated Dismissal** (Lodged Under Seal) is a Royalty Review Report  
9 by Ocean Tomo (“the Ocean Tomo Report”). The Ocean Tomo Report was commissioned by  
10 STATS ChipPAC’s counsel to assess the accuracy and completeness of the royalty payments  
11 made by STATS ChipPAC pursuant to its TCC License Agreement with Tessera. As shown in  
12 the Proposed Redacted Ocean Tomo Report, STATS ChipPAC seeks sealing of only those  
13 portions of the Ocean Tomo Report that explicitly reference or detail the amount of royalty  
14 payments made by STATS ChipPAC and/or royalty rates allegedly owed by STATS ChipPAC  
15 pursuant to its TCC License Agreement with Tessera.

16 The Stipulated Dismissal also makes a single reference to the amount of royalty  
17 payments made by STATS ChipPAC. STATS ChipPAC also requests that said royalty payment  
18 amount be sealed.


19 Having considered the Motion for Administrative Relief, the Court finds that compelling  
20 evidence appears to seal each of the above-described documents as lodged with the Court. With  
21 respect to the Ocean Tomo Report, STATS ChipPAC has attested that its competitive standing  
22 could be harmed if those documents were publicly disclosed. STATS ChipPAC further attested  
23 that it frequently negotiates licensing arrangements of various kinds in which the amount of  
24 royalties it will pay to another, or that another company will pay to it, is an important deal term.  
25 STATS ChipPAC would be disadvantaged in negotiations for future licensing deals and other  
26 business agreements if the amount of royalties it has previously paid to Tessera and/or the  
27 royalty rates to which it previously agreed became publicly known. Disclosing this information  
28 to the public would create an asymmetry of information for STATS ChipPAC in the negotiation

1 of future licensing or other business deals. For these same reasons, it is proper to seal the one  
2 statement in the Stipulated Dismissal that references the royalty payments made by STATS  
3 ChipPAC. The Court further notes that it has previously sealed similar royalty-related  
4 information. *See, e.g.*, Dkt. No. 1061 Order at 4-5.  
5

6 THEREFORE, IT IS HEREBY ORDERED that the foregoing documents lodged with the  
7 Court shall be filed under seal.  
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9 IT IS SO ORDERED

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11 Dated: October 3, 2012

  
12 Honorable Claudia Wilken  
13 United States District Court Judge  
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